



JENNIFER M. GRANHOLM  
GOVERNOR

STATE OF MICHIGAN  
DEPARTMENT OF ENERGY, LABOR & ECONOMIC GROWTH  
LANSING

STANLEY "SKIP" PRUSS  
DIRECTOR

**BOARD OF MECHANICAL RULES  
BUREAU OF CONSTRUCTION CODES**

Conference Room 3, First Floor  
2501 Woodlake Circle  
Okemos, Michigan 48864

**AGENDA**

January 21, 2009  
9:00 a.m.

- |    |   |             |
|----|---|-------------|
| 1. | Call to Order and Determination of Quorum   | Chairperson |
| 2. | Approval of Agenda (Pages 1-2)  | Chairperson |
| 3. | Approval of Minutes – November 12, 2008 (Pages 3-8)   | Chairperson |
| 4. | Election of Officers  | Chairperson |
| 5. | Applicants for Registration – Doc. #09-14e (Page 9)   | T. Barry    |
|    | Daniel K. Binker<br>Gregory C. Hall<br>William E. Lycos<br>Alan R. Meier<br>Robert W. Secco, Jr.  |             |
| 6. | Examination Appeals   | T. Barry    |
|    | Document M-09-01 – Martin Causie (Pages 10-17)<br>Document M-09-02 – George Kieffer (Pages 18-24) |             |
| 7. | Settlement Agreements   | T. Barry    |
|    | Document M-09-03 – Steven Eddy (Pages 25-31)<br>Document M-09-04 – Jason Smit (Pages 32-38)       |             |

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- |     |  |             |
|-----|--|-------------|
| 8.  | Old Business   | Chairperson |
| 9.  | New Business   | Chairperson |
| 10. | Legislative Report   | T. Barry    |
| 11. | Public Comment   | Chairperson |
| 12. | 2009 Schedule – March 18 <sup>th</sup> , May 20 <sup>th</sup> , July 15 <sup>th</sup> , September 16 <sup>th</sup> , November 12 <sup>th</sup> |             |
| 13. | Adjournment  |             |

The Meeting site is accessible, including handicapped parking. Individuals attending the meeting are requested to refrain from using heavily scented personal care products in order to enhance accessibility for everyone. People with disabilities requiring additional accommodations in order to participate in the meeting should contact Claudia Tenny at 517/241-9325 at least (10) working days before the event.



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**BOARD OF MECHANICAL RULES  
DEPARTMENT OF LABOR AND ECONOMIC GROWTH  
BUREAU OF CONSTRUCTION CODES**

Conference Room 3  
2501 Woodlake Circle  
Okemos, Michigan 48864

**MINUTES**

November 12, 2008  
9:00 a.m.

**MEMBERS PRESENT**

Mr. H. Edward Bartram  
Mr. Lawrence Hale II  
Mr. Robert Jagenberg  
Mr. Patrick Maher  
Mr. Mark Mangione  
Mr. George Shields  
Mr. William Steele  
Mr. Gary VanOchten  
Mr. Charles Wash

**MEMBERS ABSENT**

Mr. Kevin Carden  
Mr. Michael Ogletree  
Mr. Gregory Parker  
Mr. Chris Stockwell

**MICHIGAN DEPARTMENT OF LABOR & ECONOMIC GROWTH PERSONNEL  
ATTENDING**

Mr. Tennison B. Barry, Chief, Mechanical Division, Bureau of Construction Codes  
Ms. Claudia Tenny, Secretary to Mr. Barry  
Ms. Beth Aben, Deputy Director, Bureau of Construction Codes  
Mr. Kevin Kalakay, Assistant Chief, Mechanical Division, Bureau of Construction Codes  
Mr. Irvin J. Poke, Director, Bureau of Construction Codes

**OTHERS IN ATTENDANCE**

Kevin Brocklebank  
William Ward  
Lynn Briggs, MIACCA  
Stephen Wylie, Consumers Energy  
Jay Walden, The Melting Pot

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## Board of Mechanical Rules

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November 12, 2008

Tony Zimmerman, Omega Flex  
Douglas Horton, The Melting Pot  
Mark Shaw, The Melting Pot  
Bill Rich, Omega Flex  
Art Wierach, Omega Flex

### 1. CALL TO ORDER AND DETERMINATION OF QUORUM

Mr. Robert Jagenberg, Chairperson, called the meeting to order at 9:00 a.m. Roll was called and a quorum was determined. Mr. Jagenberg recognized Mr. Irvin Poke, recently promoted to Director of the Bureau of Construction Codes and Mr. Poke responded with brief remarks directed to the Board.

### 2. APPROVAL OF COMMITTEE OF THE WHOLE SEPTEMBER 17, 2008

Mr. Bartram made a **MOTION** to approve the recommendations of the September 17, 2008 Meeting and supported by Mr. Hale. **MOTION CARRIED.**

### 3. APPLICANTS FOR REGISTRATION

Mr. Shields made a **MOTION**, supported by Mr. Steele to approve the following for registration as Mechanical Inspector. **MOTION CARRIED.**

Jerrod . Keni  
Richard G. Robinette  
Rock L. Sherburn  
Richard J. Teal, Jr.

### 4. EXAMINATION APPEALS

Document M-08-23 – Kevin Brocklebank. Mr. Brocklebank appeared before the Board to appeal the denial by staff of his application for Mechanical Contractor Licensing Examination. Mr. Barry explained the basis of the denial and Mr. Brocklebank answered questions from various Board members regarding his work experience. A **MOTION** was by Mr. Bartram and supported by Mr. Hale to deny the appeal. **MOTION CARRIED.**

**Board of Mechanical Rules**

**Page 3**

**November 12, 2008**

Document M-08-24 – Donald Scott. Mr. Scott did not appear before the Board and Mr. Barry explained the basis of the denial. The Board reviewed submitted documentation. A **MOTION** was made by Mr. Shields and supported by Mr. Steele to deny the appeal. **MOTION CARRIED.**

**5. REQUEST TO APPEAR BEFORE THE BOARD**

Document M-08-25 – William Ward. Mr. Ward did appear before the Board regarding his appeal for Mechanical Contractor Licensing Examination pursuant to the Former Offenders Act. Mr. Barry reviewed the applicant file for the board members and Mr. Ward detailed his recent activities and answered questions from various board members. A **MOTION** was made by Mr. Wash and supported by Mr. VanOchten to approve the appeal of Mr. Ward and allow him to take the Mechanical Contractor Licensing Examination. **MOTION CARRIED.**

**6. PRODUCT APPROVAL**

Document M-08-21 – Vapor Vent. There were no representatives of the company Ecolab attending the meeting. Mr. Barry described the product as a ventless steam removal system for dish machines and explained the function of the product. Mr. Barry recommended that product not be approved as it does not meet the definition of an exhaust system. A **MOTION** was made by Mr. Wash and supported by Mr. Steele to deny approval of the product. **MOTION CARRIED.**

Document M-08-22 – The Melting Pot Restaurants. Present at the meeting representing the Melting Pot Restaurants were Jay Walden, Douglas Horton and Mark Shaw. Mr. Barry outlined the product and function of the product (cooktek induction cooktop model MPD 1000, Mosshaim infrared cooktop model CVM-51100B and Bon Chef Pot). There was discussion and several questions by various Board Members. Mr. Barry recommended approval of the product/process. A **MOTION** was made by Mr. Steele and supported by Mr. Bartram to approve the product/process. **MOTION CARRIED.**

**7. OLD BUSINESS**

Document M-08-16 (tabled 09/17/08) -- David Sexton. A **MOTION** was made by Mr. Bartram and supported by Mr. Shields to remove the document from the table. Mr. Sexton was not present at the meeting and after review of the submitted documentation a **MOTION** was made by Mr. Shields and supported by Mr. Steele to deny the appeal for examination. **MOTION CARRIED.**

Document M-08-13 (tabled 07/16/08) -- Ronald Kowalski. A **MOTION** was made by Mr. Bartram and supported by Mr. Steele to remove the document from the table. Mr. Barry reported to the Board that Mr. Kowalski had submitted additional documentation of his work in the refrigeration classification and had been approved for examination by staff, had tested and was now licensed.

Document M-08-11 (tabled 07/16/08, 09/17/08) Robert Walker. A **MOTION** was made by Mr. Shields and supported by Mr. Hale to remove the document from the table. Mr. Walker was not present at the meeting. Mr. Barry reported on the status of the appeal and applicant did not supply any additional documentation. A **MOTION** was made by Mr. Bartram and supported by Mr. Steele to deny the appeal. **MOTION CARRIED.**

Document M-08-20 (tabled 09/17/08) Omega Flex Trac PSII. Mr. Art Wierauch, Mr. Dean Grivas and Mr. Tony Zimmerman were present at the meeting on behalf of Trac Pipe and distributed additional information to the Board. Mr. Barry reviewed for the board the product and its application. Further, Mr. Barry recommended denial of the product citing the following: Product does not comply with section 404.11 of the 2006 International Fuel Gas Code for installation underground beneath Buildings.

There was discussion of the new information submitted and its compliance with the code along with comments from various board members. A **MOTION** was made by Mr. Bartram and supported by Mr. VanOsten to deny approval of the product. **MOTION CARRIED.**

**8. NEW BUSINESS**

Ms. Beth Aben announced that Holly Velez has accepted a position in Washington, D.C. assisting Henry Green and expressed the Bureau's best wishes and gratitude for her years of service.

**9. LEGISLATIVE REPORT**

Mr. Barry reported on issues with Draft 7 of the Forbes Act and stated Draft 7a has been issued.

Ms. Beth Aben reported that the injunction against the 2003 Energy Code has been lifted and is effective immediately. Notice has been sent out to all registered inspectors and the Bureau is fielding many questions and is working on a Technical Bulletin referencing some standards and frequently asked questions.

Ms. Aben also reported that there was a decision affecting the Electrical Administrative Act allowing enforcement of the law regarding apprentice ratios.

**10. PUBLIC COMMENT**

Mr. Lynn Briggs commented on the Electrical Administrative Act previously discussed. Mr. Briggs questioned the adoption of the 2006 Energy Code. Ms. Beth Aben responded with answers regarding the process. Mr. Briggs commented on the draft of the Forbes Act and the Fire Marshal position on the Mechanical Board. Mr. Briggs reported that it is very unlikely that anything will occur on the legislation this year and that it will have to be reintroduced next year. HB 6353 is up for a hearing tomorrow (11/13/08). This is legislation that would license sprinkler fitters and apprentice sprinkler fitters and sets up a new state department and the licenses would be issued by that department.

**Board of Mechanical Rules**

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**November 12, 2008**

**11. ADJOURNMENT**

A **MOTION** was made by Mr. VanOchten and supported by Mr. Steele to adjourn the meeting. **MOTION CARRIED.**

Next Board of Mechanical Rules meeting is January 21, 2009.

**APPROVED** \_\_\_\_\_ **DATE** \_\_\_\_\_



MECHANICAL INSPECTORS

01/21/09 bmr

03/04/09 ccc

BINKER, Daniel K.  
Contractor's License #7114951 (10/2004)  
Classifications 1, 2, 3, 4, 6, & 7  
8,000+ hours HVAC  
Additional Inspector  
Newaygo County

HALL, Gregory C.  
Contractor's License #7115370 (12/2005)  
Classification 2  
8,000+ hours HVAC  
Additional Inspector  
Convis Township – Calhoun County

LYCOS, William E.  
Contractor's License #7102843 (1/1985)  
Classifications 1, 2, 3, 4, 6, 8, & 9  
8,000+ hours HVAC  
Replacing Jeffrey Quirante (Registration #005267)  
State of Michigan

MEIER, Alan R.  
Contractor's License #7109383 (1/1990)  
Classifications 1, 2, 3, 6, & 8  
8,000+ hours HVAC  
Additional Inspector  
City of Livonia – Wayne County

SECCO, Jr., Robert W.  
8,000+ hours HVAC  
Additional Inspector  
City of Southgate – Wayne County



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January 05, 2009

M-09-01

TO: Members of the Board of Mechanical Rules  
FROM: Tennison B. Barry, Chief, Mechanical Division  
SUBJECT: Appeal Request for Examination

**APPLICANT REPRESENTATIVE:**

Martin Causie

**PROJECT:**

Not applicable.

**AUTHORITY:**

The Forbes Mechanical Contractors Act, 1984 PA 192 of the Michigan Compiled Laws.

**REQUEST:**

Mr. Causie is requesting to be allowed to sit for the mechanical contractor exam.

**APPLICABLE RULE:**

R 338.903a. of the Board of Mechanical Rules License Examination Procedures

**FINDINGS:**

Mr. Causie submitted an application that was not signed by the contractor of record. Although Mr. Causie has provided W2's they do not tell us what his role at the company was.

A letter was received from Mr. Steve Munier, the contractor of record for Munier Heating, indicating that he would not fill out Mr. Causie's employment records.

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**RECOMMENDATION:**

Although it is evident that Mr. Causie has worked for a company that is licensed, it is not clear what work he performed for the company. Therefore staff is recommending denial based on the lack of experience as required by the Forbes Mechanical Contractors Act, 1984 PA 192 of the Michigan Compiled Laws.



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DIRECTOR

January 5, 2009

Mr. Martin Causie  
6380 Bowerman Rd.  
Horton, MI 492946

Dear Mr. Causie:


On January 21, 2009, the Board of Mechanical Rules will hear your appeal of the denial by staff for Mechanical Contractor License Examination.

If you would like input on this action, you should be present at the Okemos Office Building, 2501 Woodlake Circle, Okemos, Michigan at 9:00 a.m. in Conference Room 3.

The meeting site is accessible, including handicapped parking. Individuals attending the meeting are requested to refrain from using heavily scented personal care products, in order to enhance accessibility for everyone. People with disabilities requiring additional accommodations in order to participate in the meeting should contact the Mechanical Division at 517/241-9325 at least (10) working days before the event.

If I can be of further assistance, you may contact me.

Sincerely,

  
Tannis B. Barry, Chief  
Mechanical Division

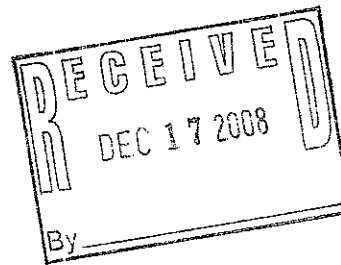
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December 10, 2008



Michigan Department of Labor  
Bureau of Construction Codes-Mechanical  
P.O. Box 30254  
Lansing, Michigan 48909

Dear Tennison,

As per our phone conversation on approximately 12/01/2008, I am not going to fill out Martin Causies's employ records as he left our company on very bad terms.

Best regards,

A handwritten signature in cursive script that reads 'Steve Munier'.

Steve Munier  
MUNIER HEATING & COOLING, LLC  
1601 East Michigan Ave  
Albion, Michigan 49224  
602-320-0488 personal cell



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GOVERNOR

STATE OF MICHIGAN  
DEPARTMENT OF LABOR & ECONOMIC GROWTH  
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STANLEY "SKIP" PRUSS  
DIRECTOR

December 2, 2008

Steve Munier  
Munier Heating & Cooling, LLC  
1601 E Michigan  
Albion, MI 49224

Dear Sir or Madam:

RE: Martin Causie's application for Mechanical Contractor Licensing Examination

The Mechanical Division has received an incomplete application for the Mechanical Contractor Licensing Examination from Martin Causie. He has indicated that he was previously in your employ at Munier Heating & Cooling, LLC.

Please complete the information listed below.

(Please type or print)

- 1 The name of the company's licensed mechanical contractor by whom the applicant was supervised \_\_\_\_\_
- 2 The contractor's license number \_\_\_\_\_
- 3 The period of time the applicant was employed by your company.  
From \_\_\_\_\_ To \_\_\_\_\_  
(Month) (day) (year) (Month) (day) (year)
- 4 The employee worked: Full-time \_\_\_ Part-time \_\_\_  
If part-time, indicate the number of hours worked each year
- 5 Please circle the type of work applicant performed during his/her employment with your company

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Munier Heating & Cooling, LLC

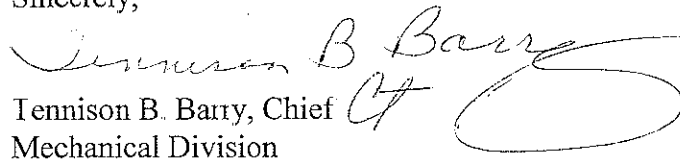
Page 2

December 2, 2008

1. Hydronic heating & cooling & process piping
2. Installation of HVAC equipment
3. Ductwork
4. Refrigeration
5. Limited heating service
6. Unlimited heating service
7. Limited refrigeration & A/C service
8. Unlimited refrigeration & A/C service
9. Fire Suppression
10. Specialties (please indicate what)

Return this letter with the required information to: Michigan Department of Labor and Economic Growth, Bureau of Construction Codes-Mechanical, P O. Box 30254, Lansing, Michigan 48909. If you have any questions, call me at 517/241-9325.

Sincerely,

  
Tennison B. Barry, Chief  
Mechanical Division

TBB/cct

**SIGNATURE OF CONTRACTOR OF  
RECORD** \_\_\_\_\_

**DATE** \_\_\_\_\_

To Whom It May Concern:

My name is Martin Causie. It has been a dream of mine, for many years, to start my own business. My family, for generations, has always been self-employed. My grandfather, Robert Fletcher, was in heating and cooling for 30+ years. My father owned a construction company named Causie Construction. My brother, Kurt Causie, owns the heating side of Brooklyn Plumbing, Heating & AC Inc. Due to these relationships, my experience in heating and cooling is very broad.

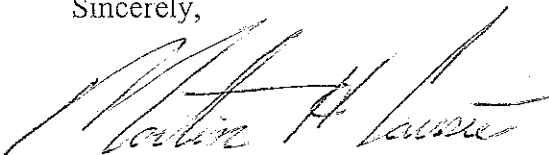
I first started at Munier (AirNow) Heating & Cooling in February of 2003. In 5 ½ years, I learned a lot from an employee named Joe Cooper. In the first four years, business for Munier's was great. But the last year and a half, business slowly trickled off because of, number one, the economy, and number two, the reputation that Munier Heating & Cooling had created for themselves. So, I made a decision to give my two weeks notice. I could no longer pay my bills every week because of the lack of hours I was given. So not even having another job, I quit and two weeks later went to work for a mechanic's shop. I worked there for about 2 ½ months, and then found a job at A-OK Heating, Cooling, Plumbing, and Electrical. After working for them for two weeks, I started to see suppliers and payroll checks bounce. Very cautiously, I kept working for them. One week later, my payroll check bounced. That is when I decided that it was time to go out on my own. With many friends that are contractors and knowing a lot of people in the business world, I am confident that I will make it.

Once I found out what I needed to do to get a mechanical license, that's when things started worrying me. The last four to five months that I worked at Munier's, the business was handed over to Yvonne Munier, the ex-wife to the previous owner, Steve Munier. One to two years earlier, Steve started a new business in Arizona called AirNow Cooling and Heating using his license for both businesses. He was, however, very rarely around. When permits were pulled, which was very rarely, he was not around to pull them. I realize that a spouse (wife) that is part of the business can sign his signature, however they were divorced for at least a year prior to my resignation.

Now, after talking with Claudia in the Mechanical Division, I have been made aware that I need to have Steve Munier sign for my years of experience. Steve no longer lives in the state of Michigan. He now resides in the state of Arizona. He may tell you that he is still here, but that just isn't true. He has nothing to do with Munier Heating & Cooling other than Yvonne Munier using his mechanical license, which, from what I was told by the state, is not legal.

So, as of today, November 10, 2008, I cannot get in touch with Steve Munier to sign my paper. I am including copies of my W-2s as proof of my time at Munier Heating & Cooling. I now rely on the Board to approve my request to take the test, to better my life, and move on with my career and my dreams of owning my own business. Please consider my request under these special circumstances. Thank you for your time.

Sincerely,



Martin H. Causie

517-266-9515



# Experience Record

It is necessary to show a minimum of 3 years experience in one or more of the work classifications. List your present employer first. Describe the type of work performed in detail to enable the reviewer to correctly evaluate your qualifications. Describe the work classifications you have had experience in and the length of time you performed the work. Have each contractor of record certify your dates of employment and have their signatures notarized. Attach extra sheets if necessary.

EMPLOYER NAME <b>Munice / Air Now Heating &amp; Cooling</b>			DATES EMPLOYED (Month / Day / Year) FROM: <b>FEB 2003</b> TO: <b>MARCH 2008</b>	
ADDRESS <b>1601 E Michigan</b>			TYPE OF WORK PERFORMED <input checked="" type="checkbox"/> Residential <input checked="" type="checkbox"/> Commercial <input type="checkbox"/> Industrial	
CITY <b>AIRBION</b>	STATE <b>MI</b>	ZIP CODE <b>49224</b>	<input checked="" type="checkbox"/> Full-Time <input type="checkbox"/> Part-Time Hours per week <b>40 or more</b>	
DESCRIPTION OF WORK PERFORMED (Include experience in specific work classifications) <b>1 of two LEAD installers of Humidifiers, forced Air Furnaces, gas pipe, LPK ts, A/C - coil, Condensers, Ductwork, Sheet metal fabrication, BRAZING, Commercial Rooftop units, Unit Heats, etc.</b>				
<b>Employer Complete The Following</b>				
I hereby certify the applicant was in my employ during the period stated and the applicant's description of experience on this application is accurate.			Subscribed and sworn before me, this _____ day of _____, 20____	
SIGNATURE OF CONTRACTOR OF RECORD		DATE	a Notary Public in and for _____ County Michigan	
NAME OF CONTRACTOR OF RECORD (No Initials)			Signature of Notary Public _____	
LICENSE NUMBER	TELEPHONE NUMBER (Include Area Code)		My Commission expires: _____, 20____	

## Certification and Signature (MUST BE SIGNED BY ALL APPLICANTS)

I certify all information in this application is true and complete and I agree and understand any falsification of material facts will result in my forfeiting any rights of consideration for examination and issuance of a mechanical contractor's license in the state of Michigan.	
SIGNATURE OF APPLICANT <b>Walter H. Canine</b>	DATE <b>11-10-09</b>



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DIRECTOR

January 05, 2009

M-09-02

TO: Members of the Board of Mechanical Rules  
FROM: Tennison B. Barry, Chief, Mechanical Division  
SUBJECT: Appeal Request for Examination

**APPLICANT REPRESENTATIVE:**

George Kieffer

**PROJECT:**

Not applicable.

**AUTHORITY:**

The Forbes Mechanical Contractors Act, 1984 PA 192 of the Michigan Compiled Laws.

**REQUEST:**

Mr. Kieffer is requesting to be allowed to take the HVAC exam to upgrade his license.

**APPLICABLE RULE:**

R 338.903a. of the Board of Mechanical Rules License Examination Procedures.

**FINDINGS:**

Mr. Kieffer submitted an application that does not document experience in HVAC.

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**RECOMMENDATION:**

It is staff's recommendation that the applicant be denied based on the lack of experience as required by the Forbes Mechanical Contractors Act, 1984 PA 192 of the Michigan Compiled Laws.



STATE OF MICHIGAN

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DIRECTOR

January 5, 2009

Mr. George Kieffer  
58971 Beech Rd.  
Mishawaka, IN 46544

Dear Mr. Kieffer:


On January 21, 2009, the Board of Mechanical Rules will hear your appeal of the denial by staff for Mechanical Contractor License Examination for HVAC Equipment

If you would like input on this action, you should be present at the Okemos Office Building, 2501 Woodlake Circle, Okemos, Michigan at 9:00 a.m. in Conference Room 3.

The meeting site is accessible, including handicapped parking. Individuals attending the meeting are requested to refrain from using heavily scented personal care products, in order to enhance accessibility for everyone. People with disabilities requiring additional accommodations in order to participate in the meeting should contact the Mechanical Division at 517/241-9325 at least (10) working days before the event.

If I can be of further assistance, you may contact me.

Sincerely,

  
Tennison B. Barry, Chief  
Mechanical Division

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DIRECTOR

December 3, 2008

George Kieffer  
58971 Beech Rd  
Mishawaka, IN 46544

Dear Mr. Kieffer:

The Mechanical Division has received your application for Mechanical Contractor Licensing Examination. Upon review, it has been determined that the following information is required before you can be scheduled for examination:

**Your application does not show documentation of your work experience. Rule 903(1) requires that the applicant have a minimum of three years experience in one or more of the work classifications set forth in the Act. Your application indicates that you do not have three years of experience in 2-hvac.**

If appropriate, return the required information along with this letter to: Department of Labor & Economic Growth, Bureau of Construction Codes, Mechanical Division, P.O. Box 30254, Lansing, Michigan 48909. If we do not receive a response within 15 days from the date of this letter, your application for examination will be denied in accordance with Rule 902(5) and (6).

If you have any questions regarding the information in this letter, please contact this office at 517/241-9325, preferably after 10:00 a.m. on weekdays.

Sincerely,

Kevin Kalakay, Assistant Chief  
Mechanical Division

KDK/tl

*Providing for Michigan's Safety in the Built Environment*

BUREAU OF CONSTRUCTION CODES  
P O BOX 30254 • LANSING, MICHIGAN 48909  
Telephone (517) 241-9325 • Fax (517) 241-9308  
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# Harlan Heating & Cooling

58971 Beech Rd. Mishawaka, In. 46544

November 30, 2008

TO: ~~Indiana Dept. of Labor~~  
~~P.O. Box 30254~~  
~~Lansing, Mi 48909~~  
Attn: Kevin Kalakay

RE: Recent app. For HVAC Testing

Dear Sir: I wish to appeal the decision of your department in regards to my recent application to take the HVAC test. As a licensed [Bonded & Insured] contractor in (4) four counties [Elkhart, Mishawaka(city), St Joseph, Laporte, and marshall] in the state of Indiana for the previous three years, I believe I have the experience and knowledge to take and pass your exam for HVAC.

I am presently gathering info from the Bldg Depts. here on exactly how many installations I have done in the previous three years. I can tell you that my record is impeccable with all of the Bldg. Depts. Here, and I am a contractor in good standing both with them and the Better Business Bureau

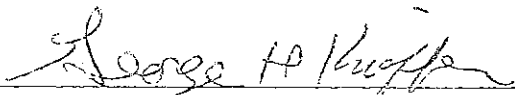
As I have included the Indiana licensing requirements (with my original app), can you please clarify how Michigan's requirements differ? I have taken and passed the "Block" exam for Indiana's requirements, which is quite extensive (and widely recognized), and I am NATE Certified in Gas Heating, Oil Heating, & Air Conditioning, [Service & Installation].

If necessary, I am willing to appear in front of the board to answer any questions that you may have.

As a side note: I do home warranty work, (for the largest home warranty Co. in the country) and my business is being negatively impacted because I am not licensed for equipment replacement in the state of Michigan.

Please review, and advise accordingly

Sincerely,

  
Owner



- Licensed
- Bonded
- Insured
- EPA Certified
- NATE Certified [x]



STATE OF MICHIGAN

DEPARTMENT OF LABOR & ECONOMIC GROWTH  
LANSINGJENNIFER M. GRANHOLM  
GOVERNORKEITH W. COOLEY  
DIRECTOR

November 14, 2008

George Kieffer  
58971 Beech Rd  
Mishawaka, IN 46544

Dear Mr. Kieffer:

The Mechanical Division has received your application for Mechanical Contractor Licensing Examination. Upon review, it has been determined that the following information is required before you can be scheduled for examination:

Your application does not show documentation of your work experience. Rule 903(1) requires that the applicant have a minimum of three years experience in one or more of the work classifications set forth in the Act. Your application indicates that you do not have three years of experience.

< You cannot sign for your own experience.

Indiana licensing requirements are not equivalent to those of Michigan's.

If appropriate, return the required information along with this letter to: Department of Labor & Economic Growth, Bureau of Construction Codes, Mechanical Division, P.O. Box 30254, Lansing, Michigan 48909. If we do not receive a response within 15 days from the date of this letter, your application for examination will be denied in accordance with Rule 902(5) and (6).

If you have any questions regarding the information in this letter, please contact this office at 517/241-9325, preferably after 10:00 a.m. on weekdays.

Sincerely,

*Kevin Kalakay*  
Kevin Kalakay, Assistant Chief  
Mechanical Division

*Followed Reply Letter*  
*11-30-08 5:25pm*

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[x]

# Experience Record

It is necessary to show a minimum of 3 years experience in one or more of the work classifications. List your present employer first. Describe the type of work performed in detail to enable the reviewer to correctly evaluate your qualifications. Describe the work classifications you have had experience in and the length of time you performed the work. Have each contractor of record certify your dates of employment and have their signatures notarized. Attach extra sheets if necessary.

EMPLOYER NAME <b>HARLAN HEATING &amp; Cooling</b>			DATES EMPLOYED (Month / Day / Year) FROM: <b>Nov 2005</b> TO: <b>Present</b>	
ADDRESS <b>58971 Beech Rd.</b>			TYPE OF WORK PERFORMED <input checked="" type="checkbox"/> Residential <input checked="" type="checkbox"/> Full-Time <input checked="" type="checkbox"/> Commercial <input type="checkbox"/> Part-Time <input type="checkbox"/> Industrial Hours per week <b>40</b>	
CITY <b>Mishawaka</b>	STATE <b>IN</b>	ZIP CODE <b>46544</b>		
DESCRIPTION OF WORK PERFORMED (Include experience in specific work classifications) <b>OWNER, (INSTALL HVAC Equip in Residential &amp; Commercial Applications), determine correct Venting, Gas Piping, EQ Sizing &amp; Ductwork for proper system operation. Comply with Applicable codes.</b>				
Employer Complete The Following				
I hereby certify the applicant was in my employ during the period stated and the applicant's description of experience on this application is accurate.			Subscribed and sworn before me, this <b>30th</b> day of <b>Sept</b> , 20 <b>08</b>	
SIGNATURE OF CONTRACTOR OF RECORD <b>George H. Kieffer</b>		DATE <b>9/30/08</b>	a Notary Public in and for <b>St. Joseph</b> County <b>Michigan</b> <b>IN</b>	
NAME OF CONTRACTOR OF RECORD (No Initials) <b>George HARLAN Kieffer</b>			Signature of Notary Public <b>Holli Smith</b>	
LICENSE NUMBER <b>71-15491</b>	TELEPHONE NUMBER (Include Area Code) <b>574-248-3476</b>		My Commission expires: <b>9/20/2014</b> , 20 <b>08</b>	
			 Holli Smith St. Joseph County Commission Expires September 20, 2014	

# Experience Record

It is necessary to show a minimum of 3 years experience in one or more of the work classifications. List your present employer first. Describe the type of work performed in detail to enable the reviewer to correctly evaluate your qualifications. Describe the work classifications you have had experience in and the length of time you performed the work. Have each contractor of record certify your dates of employment and have their signatures notarized. Attach extra sheets if necessary.

EMPLOYER NAME			DATES EMPLOYED (Month / Day / Year) FROM: TO:	
ADDRESS			TYPE OF WORK PERFORMED <input type="checkbox"/> Residential <input type="checkbox"/> Full-Time <input type="checkbox"/> Commercial <input type="checkbox"/> Part-Time <input type="checkbox"/> Industrial Hours per week	
CITY	STATE	ZIP CODE		
DESCRIPTION OF WORK PERFORMED (Include experience in specific work classifications)				
Employer Complete The Following				
I hereby certify the applicant was in my employ during the period stated and the applicant's description of experience on this application is accurate.			Subscribed and sworn before me, this _____ day of _____, 20____	
SIGNATURE OF CONTRACTOR OF RECORD		DATE	a Notary Public in and for _____ County Michigan	
NAME OF CONTRACTOR OF RECORD (No Initials)			Signature of Notary Public _____	
LICENSE NUMBER	TELEPHONE NUMBER (Include Area Code)		My Commission expires _____, 20____	





JENNIFER M. GRANHOLM  
GOVERNOR

STATE OF MICHIGAN  
DEPARTMENT OF ENERGY, LABOR & ECONOMIC GROWTH  
LANSING

STANLEY 'SKIP' PRUSS  
DIRECTOR

January 6, 2009

M-09-03

TO: Members of the Board of Mechanical Rules  
FROM: Tennison B. Barry, Chief, Mechanical Division  
SUBJECT: Settlement Agreement

**APPLICANT REPRESENTATIVE:**

Steven Eddy

**PROJECT:**

Not applicable.

**AUTHORITY:**

The Forbes Mechanical Contractors Act, 1984 PA 192 of the Michigan Compiled Laws.

**REQUEST:**

Staff is requesting that the Board of Mechanical Rules review and accept the settlement agreement between the Bureau of Construction Codes and Mr. Steven Eddy.

**APPLICABLE RULE:**

R 338 981. The Forbes Mechanical Contractors Act, 1984 PA 192 of the Michigan Compiled Laws.

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**FINDINGS:**

1. Mr. Steven Eddy admitted that he installed a boiler without being licensed as a Boiler installer.
2. Mr. Eddy admitted that he installed mechanical equipment without first obtaining a mechanical permit.
3. Mr. Eddy admitted that he failed to submit construction documents.
4. Mr. Eddy admitted that he failed to make corrections as to achieve compliance with the requirements of the Mechanical Code.
5. Mr. Eddy failed to disclose material facts to Terry and Pam Hall necessary for them to make an informed decision in connection with the offer of a contract for mechanical work.

**RECOMMENDATION:**

Staff recommends that Mr. Eddy's Mechanical Contractor's License be revoked; and he not be eligible to apply for re-issuance of his original mechanical contractor license number until he obtains a minimum of 3 years on new work experience under the employment and supervision of a licensed mechanical contractor included taking and passing an exam.



JENNIFER M. GRANHOLM  
GOVERNOR

STATE OF MICHIGAN  
DEPARTMENT OF ENERGY, LABOR & ECONOMIC GROWTH  
LANSING

STANLEY "SKIP" PRUSS  
DIRECTOR

January 5, 2009

Mr. Steven R. Eddy  
1711 Four Mile Road, N.E.  
Grand Rapids, MI 49525

Dear Mr. Eddy:

On January 21, 2009, the Board of Mechanical Rules will review the Settlement Agreement that you signed on 11/13/08.

If you have any questions, you may contact me at 517/241-9325.

Sincerely,

A handwritten signature in cursive script, reading "Tennison B. Barry".

Tennison B. Barry, Chief  
Mechanical Division

TBB/cct

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**STATE OF MICHIGAN  
DEPARTMENT OF LABOR & ECONOMIC GROWTH  
BUREAU OF CONSTRUCTION CODES**

In the Matter of:

Steven R. Eddy, d/b/a  
Oakwood Energy Management Co.  
1711 Four Mile Road NE  
Grand Rapids, Michigan 49525

BCC Complaint No. M-08-0102

Mechanical Contractor License No. 71-15550

(Respondent)

\_\_\_\_\_ /

Entered into  
this \_\_\_\_ day of \_\_\_\_\_, 2008  
by the Board of Mechanical Rules

**SETTLEMENT AGREEMENT**

The Michigan Department of Labor and Economic Growth (hereafter the Department), Bureau of Construction Codes (hereafter the Bureau), having described its concerns for the public's safety and welfare in its Statement of Intent to Commence Proceedings and Notice of Opportunity to Show Why Such Proceedings Should Not Be Commenced Pursuant to the Forbes Mechanical Contractors Act, issued August 1, 2008 (hereafter the Statement of Intent), a copy of which is attached hereto and incorporated herein as an integral part of this Settlement Agreement, hereby agrees to resolve those concerns as follows:

WHEREAS, Respondent did attend an informal compliance conference on August 26, 2008, but did not make a sufficient showing of compliance to the Bureau in connection with the violations alleged in the Statement of Intent; and

STEVEN R. EDDY  
SETTLEMENT AGREEMENT

WHEREAS, the Bureau's Mechanical Division and Respondent are desirous of settling this matter as hereafter set forth and agree to the entry of this Settlement Agreement; and

WHEREAS, Respondent denies that the factual allegations contained in Counts I, III and VII of the Statement of Intent are true and correct; and

WHEREAS, Respondent admits that the factual allegations contained in the remainder of the Statement of Intent are true and correct; and

WHEREAS, Respondent admits that such facts would constitute violations of the acts, rules and codes cited in the Statement of Intent; and

WHEREAS, Respondent waives his right to a continuation of the hearing in this matter; and

WHEREAS, the Bureau finds this action necessary and appropriate in the public interest, for the protection of the public's health and general welfare, and consistent with the purposes and provisions of the acts, rules and codes cited in the Statement of Intent.

IT IS THEREFORE STIPULATED AND AGREED that:

1. Respondent Eddy's mechanical contractor license shall be REVOKED; and
2. Respondent Eddy will not be eligible to apply for re-issuance of his original mechanical contractor license number or a new license number until he obtains a minimum of 3 years of new work experience under the employment and supervision of a licensed mechanical contractor and until he meets the new experience and examination requirements for a new mechanical contractor license at the time of any future application.

IT IS FINALLY AGREED that the settlement agreement will be submitted to the Board

STEVEN R. EDDY  
SETTLEMENT AGREEMENT

of Mechanical Rules for review and approval at their next regularly scheduled meeting following the execution of this agreement by the Respondent and the Bureau, and that it will not become effective until formally approved by the Board of Mechanical Rules.

The parties have entered into this Settlement Agreement on the dates indicated below.

MICHIGAN DEPARTMENT OF  
LABOR AND ECONOMIC GROWTH

By: Tennison B. Barry  
Tennison Barry, Asst. Chief  
Mechanical Division  
Bureau of Construction Codes

Dated: 11-25-08  
Okemos, Michigan

By: Steven R. Eddy  
Steven R. Eddy, Respondent

Dated: 11-13-08  
Grand Rapids, MI Michigan

By: Scott D. Fisher  
Scott D. Fisher, Director  
Office of Local Government & Consumer Services  
Bureau of Construction Codes

Dated: 11/25/08  
Okemos, Michigan

**ACTION BY THE BOARD OF MECHANICAL RULES**

On \_\_\_\_\_, 2008, the Board of Mechanical Rules met to review this matter and voted to APPROVE / REJECT / AMEND the settlement agreement as written.

By: \_\_\_\_\_  
Robert Jagenberg, Chair  
State of Michigan Board of Mechanical Rules  
Bureau of Construction Codes

Dated: \_\_\_\_\_  
Okemos, Michigan

STEVEN R. EDDY  
SETTLEMENT AGREEMENT

**Upon Approval of the Board of Mechanical Rules**

A Copy of this Settlement Agreement will be sent by First Class Mail to:

Steven R. Eddy, d/b/a  
Oakwood Energy Management Co.  
1711 Four Mile Road NE  
Grand Rapids, Michigan 49525

Steven R. Eddy, d/b/a  
Oakwood Energy Management Co.  
2815 Wausaukee Drive NE  
Grand Rapids, Michigan 49525

Steven R. Eddy, d/b/a  
Oakwood Energy Management Co.  
3148 Plainfield Avenue NE, #104  
Grand Rapids, Michigan 49525

A Copy of this Settlement Agreement will be sent by Interdepartmental Mail to:

Board of Mechanical Rules  
c/o Tennison Barry, Mechanical Division  
Bureau of Construction Codes  
P.O. Box 30254  
Lansing, Michigan 48909

Beth Aben, Deputy Director  
Bureau of Construction Codes  
P.O. Box 30254  
Lansing, Michigan 48909

Scott D. Fisher, Director of OLGCS  
Bureau of Construction Codes  
P.O. Box 30254  
Lansing, Michigan 48909



JENNIFER M. GRANHOLM  
GOVERNOR

STATE OF MICHIGAN  
DEPARTMENT OF ENERGY, LABOR & ECONOMIC GROWTH  
LANSING

STANLEY 'SKIP' PRUSS  
DIRECTOR

January 6, 2009

M-09-04

TO: Members of the Board of Mechanical Rules  
FROM: Tennison B. Barry, Chief, Mechanical Division  
SUBJECT: Settlement Agreement

**APPLICANT REPRESENTATIVE:**

Jason Smit

**PROJECT:**

Not applicable.

**AUTHORITY:**

The Forbes Mechanical Contractors Act, 1984 PA 192 of the Michigan Compiled Laws.

**REQUEST:**

Staff is requesting that the Board of Mechanical Rules review and accept the settlement agreement between the Bureau of Construction Codes and Mr. Jason Smit.

**APPLICABLE RULE:**

R 338.981. The Forbes Mechanical Contractors Act, 1984 PA 192 of the Michigan Compiled Laws.

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**FINDINGS:**

Mr. Jason Smit admitted that he obtained mechanical permits with an altered license.

**RECOMMENDATION:**

Staff recommends that Mr. Smit's mechanical contractor's license be revoked.



JENNIFER M. GRANHOLM  
GOVERNOR

STATE OF MICHIGAN  
DEPARTMENT OF ENERGY, LABOR & ECONOMIC GROWTH  
LANSING

STANLEY "SKIP" PRUSS  
DIRECTOR

January 5, 2009

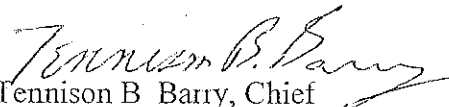
Mr. Jason E. Smit  
5660 Blue Water Hwy.  
Saranac, MI 48881

Dear Mr. Smit:

On January 21, 2009, the Board of Mechanical Rules will review the Settlement Agreement that you signed on 11/19/08.

If you have any questions, you may contact me at 517/241-9325.

Sincerely,

  
Tension B. Barry, Chief  
Mechanical Division

TBB/cct  
mit

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**STATE OF MICHIGAN  
DEPARTMENT OF LABOR & ECONOMIC GROWTH  
BUREAU OF CONSTRUCTION CODES**

In the Matter of:

Jason J. Smit, d/b/a  
Enterprise Mechanical  
5660 Blue Water Hwy  
Saranac, Michigan 48881

BCC Complaint No. M-07-0109

Mechanical Contractor License No. 71-14390

(Respondent)

\_\_\_\_\_ /

Entered into  
this \_\_\_\_\_ day of \_\_\_\_\_, 2008  
by the Board of Mechanical Rules

**SETTLEMENT AGREEMENT**

The Michigan Department of Labor and Economic Growth (Department), Bureau of Construction Codes (Bureau), having described its concerns for the public's safety and welfare in its Amended Statement of Intent to Commence Proceedings and Notice of Opportunity to Show Why Such Proceedings Should Not Be Commenced Pursuant to the Forbes Mechanical Contractors Act, issued July 11, 2008 (Statement of Intent), a copy of which is attached and is incorporated as an integral part of this Settlement Agreement, agrees to resolve those concerns as follows:

- 1 Respondent did not attend an informal compliance conference on August 7, 2008, did not submit a written response, and did not make a sufficient showing of compliance to the Bureau in connection with the violations alleged in the Statement of Intent.

JASON J. SMIT  
SETTLEMENT AGREEMENT

2. Respondent attended an evidentiary hearing before an Administrative Law Judge on October 14, 2008. Before the hearing commenced, the Bureau and Respondent entered into an agreement that was placed on the record before ALJ Friedlis.
3. Respondent admits that the factual allegations contained in the Statement of Intent are true and correct.
4. Respondent admits that such facts would constitute violations of the acts, rules and codes cited in the Statement of Intent.
5. Respondent waives his right to a continuation of the hearing in this matter.
6. The Bureau finds this action necessary and appropriate in the public interest, for the protection of the public's health and general welfare, and consistent with the purposes and provisions of the acts, rules and codes cited in the Statement of Intent.
7. For the above reasons, Respondent Jason Smit and the Bureau stipulate and agree that Respondent Smit's mechanical contractor license shall be REVOKED.
8. The Bureau will submit this settlement agreement to the Board of Mechanical Rules for review and approval at their next regularly scheduled meeting following the execution of this agreement by the Respondent and the Bureau, and that it will not become effective until formally approved by the Board of Mechanical Rules.

JASON J. SMIT  
SETTLEMENT AGREEMENT

The parties have entered into this Settlement Agreement on the dates indicated below.

MICHIGAN DEPARTMENT OF  
LABOR AND ECONOMIC GROWTH

By: Tennison Barry  
Tennison Barry, Chief  
Mechanical Division  
Bureau of Construction Codes

Dated: \_\_\_\_\_  
Lansing, Michigan

By: Jason J. Smit  
Jason J. Smit, Respondent

Dated: 11-19-08  
Saginaw, Michigan

By: Scott D. Fisher  
Scott D. Fisher, Director  
Office of Local Government & Consumer Services  
Bureau of Construction Codes

Dated: 12/08/08  
Lansing, Michigan

**ACTION BY THE BOARD OF MECHANICAL RULES**

On \_\_\_\_\_, 2008, the Board of Mechanical Rules met to review this matter and voted to APPROVE/REJECT/AMEND the settlement agreement as written.

By: \_\_\_\_\_  
Robert Jagenberg, Chair  
Board of Mechanical Rules  
Bureau of Construction Codes

Dated: \_\_\_\_\_  
Okemos, Michigan

JASON J. SMIT  
SETTLEMENT AGREEMENT

**Upon Approval of the Board of Mechanical Rules**

A Copy of this Settlement Agreement will be sent by First Class Mail to:

Jason J. Smit, d/b/a  
Enterprise Mechanical  
5660 Blue Water Hwy  
Saranac, Michigan 48881

A Copy of this Settlement Agreement will be sent by Interdepartmental Mail to:

Board of Mechanical Rules  
c/o Tennison Barry, Chief  
Mechanical Division  
Bureau of Construction Codes  
P.O. Box 30254  
Lansing, Michigan 48909

Beth Aben, Deputy Director  
Administration  
Bureau of Construction Codes  
P.O. Box 30254  
Lansing, Michigan 48909

Scott D. Fisher, Director  
Office of Local Government & Consumer Services  
Bureau of Construction Codes  
P.O. Box 30254  
Lansing, Michigan 48909

Michael O. King, Jr.  
Assistant Attorney General  
Labor Division  
P.O. Box 30736  
Lansing, Michigan 48909